



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 28, 2020

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VIA ECF

The Honorable John P. Cronan
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Loma Deli Grocery Corp., et al. v. United States of America*, 20-cv-7236 (JPC)

Dear Judge Cronan:

This Office represents Defendant United States of America (the “Government”) in the above-referenced action, in which Plaintiff seeks review of a Final Agency Decision permanently disqualifying Plaintiff from participating in the Supplemental Nutrition Assistance Program (“SNAP”). ECF No. 1. The parties are currently required to file a joint letter and proposed case management plan by November 2, 2020. *See* ECF Nos. 6, 20. In addition, the initial conference in this matter is currently scheduled for November 9, 2020 at 10:20 a.m. *Id.* Meanwhile, the Government’s response to Plaintiff’s complaint is due November 23, 2020. ECF No. 21. I write on behalf of both parties to respectfully request an extension of time of 30 days—from November 2, 2020 to December 2, 2020—to file a joint letter and proposed case management plan, and to request a 30-day adjournment—from November 9, 2020 to December 9, 2020 (or a date after that is more convenient for the Court)—of the initial pretrial conference. This is the parties’ first request for an extension of time and adjournment.

The extension and adjournment are respectfully requested to allow the Government to obtain background materials regarding the case from the agency, which have been delayed due to the COVID-19 pandemic. Furthermore, the parties have not yet conferred about the case. The parties believe that the requested extension and adjournment, set for several days after the Government’s response to Plaintiff’s complaint, will lead to a more productive initial pretrial conference and beneficial use of the Court’s time and resources.

Accordingly, we respectfully request that the Court extend the parties’ deadline to file a joint letter and proposed case management plan to December 2, 2020, and to adjourn the initial pretrial conference to a date on or after December 9, 2020.

We thank the Court for its consideration of this submission.

Respectfully,

AUDREY STRAUSS
Acting United States Attorney


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cc: Andrew Zachary Tapp, Esq. (by ECF)
Counsel for Plaintiff

It is hereby ORDERED that the parties' request is GRANTED. The telephone conference currently scheduled for November 9, 2020 is hereby adjourned to December 9, 2020 at 3:30 p.m. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261. It is further ORDERED that the parties shall have until December 2, 2020 to submit a proposed case management plan and joint letter as outlined in the Court's October 2, 2020 Order. (Dkt. 20.)

SO ORDERED.

Date: October 28, 2020
New York, New York


JOHN P. CRONAN
United States District Judge